

KIBBY'S POINTMENTS ARE  
SENT TO THE LEGISLATURE

Railroad Commissioners Will  
Be Named Today, Accord-  
ing to Information.

THE MEMBERS HAVE  
ALREADY BEEN SLATED

Sims Ely, M. O. Bicknell and  
Henry T. Andrews Will  
Compose the Body.

PHOENIX, March 17.—The news came from an authoritative source tonight that Governor Kibbey will tomorrow send to the legislature the names of Sims Ely, the present auditor; M. O. Bicknell, of Tucson, formerly with the Randolph lines; and Henry T. Andrews, an attorney of Prescott, to be members of the railroad commission created by the act of the present legislature. Andrews will be the attorney and Democratic; Bicknell the traffic man, and Sims Ely, a citizen member, as required under the terms of the bill.

To succeed Sims Ely as auditor, W. C. Foster, the present public examiner, but whose office has been abolished, will be named.

There is considerable gossip among members of the legislature over the action the council will take on the consideration of the confirmation. Andrews is at once with the Democratic of Yavapai county and Foster's drawing of a public office into partisan politics had much to do with the abolition of the office he now holds.

E. S. Clark of Prescott to be attorney general.

E. K. Kirkland of Kirkland to be treasurer.

James J. Riggs of Dos Cabezon to be citizen member of the board of control.

L. W. Coggin of Phoenix to be adjutant general.

J. C. Norton of Phoenix to be territorial veterinary surgeon.

Charles F. Stuck of Tucson for the First Judicial district.

Charles Bowman of Tombstone for the Second Judicial district.

E. W. Childs of Mammoth, Pima county, for the Third Judicial district.

T. L. Coker of Flagstaff for the Fourth Judicial district.

Charles F. Stuck of Tucson for the Fifth Judicial district.

The foregoing to be members of the Territorial Board of Equalization.

J. D. Holcomb of Globe to succeed W. T. Sims, term expired.

Incumbents of board of Regents of University reappointed.

John D. Lohr of Mesa and Henry Q. Robertson of Tempe to be members of the Territorial Board of Education.

The present members of the Territorial Board of Medical Examiners were reappointed to be commissioners for the promotion of uniformity of legislation.

A. W. Lantz of Tucson to succeed L. W. Collins as assistant secretary for the Territory of Arizona.

Kirk T. Moore, of Tucson, to succeed R. L. Long as superintendent of public instruction.

Thomas Rydman, of Douglas, to be superintendent of the Territory of Arizona.

J. C. Ketcherside, of Yuma, to be superintendent of the asylum.

J. F. Mahoney, of Winslow, to be superintendent of the industrial school.

E. S. Godfrey, of Tucson, to be superintendent of health.

A. W. Lantz of Tucson to succeed L. W. Collins.

After short consideration the appointments submitted were confirmed.

J. F. Cleveland, Morrell, private secretary to the governor.

Board of education: J. D. Lohr, of Mesa; H. Q. Robertson, of Tempe; other officers ex-officio.

Tamara normal board: A. J. Peters, C. C. Kenna, of Tempe.

Flagstaff Normal board: F. W. Perkins, E. A. Silber, Flagstaff.

Other boards include state and county commissioners, dental examiners, medical examiners, W. C. Foster, whose office of public examiner was abolished, will be named as public examiner.

Members of the newly created commission slated are Sims Ely, Proprietor, auditor; M. O. Bicknell, of Tucson, rate member; H. T. Andrews, of Prescott, attorney.

JURY IS NOW OUT  
IN CARMACK CASE

Quick Verdict Not Expected  
and Judge Will Keep Jurors  
Locked Up Indefinitely

MARICOPA, March 17.—With indications that the jury late tonight was still far from reaching an agreement, the opinion began to prevail that a mistrial will be the termination of the case against the Coppers and Sharps, charged with the murder of Carmack. Judge Hart evidently did not expect an early verdict, for at 4 o'clock he adjourned court and started for his country home, saying he would not return to receive a verdict until tomorrow. He began his charge to the jury at 3:30 and finished at 11:15 a. m. The court declared its intention of holding the jury together for a week or two if necessary to get a verdict.

## BISBEE DAILY REVIEW

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PUBLISHED IN THE BEST MINING  
CITY ON EARTH.POPULATION, 18,200; MONTHLY  
PAY ROLL, \$500,000.

NO. 64.

Side View of Vesuvius the Greatest Living Volcano  
On Earth and the Mecca of All European Tourists

TOURISTS CLIMBING AND BEING CARRIED ON THE SLOPE OF VESUVIUS.

SOUTH SIDE  
CANYON ROUTE  
FOR NEW ROAD

Forty Foot Highway's Direction  
Determined at Council  
Meeting—City Will Con-  
demn J. H. Jack Property.

The city council at a called session last night determined among other things to run the Tombstone Canyon forty-foot road on the south side of the canyon at the point where the creek turns above Jack's lumber yard; to institute condemnation proceedings against J. H. Jack, who owns the property in the path of the proposed Tombstone Canyon road, and to have an ordinance drawn up creating the office of electrical inspector. The council also referred to a committee the matter of changing the route of the highway from the north side to the south side of the canyon, and the matter of securing a right of way through the S. K. Williams property. Specifications were adopted and bids ordered for the three big tanks which are to hold the water supply for the city's new system. The matter of securing a well for a water supply was also briefly considered.

The council was called to order rather late, the members and the mayor having been in session for an hour before the meeting began. The mayor, although about 100 minutes late, arrived at the roll call, except Stoddard, who is out of the city on business. The matter first brought to the council's attention was the route of Tombstone Canyon road.

City Engineer McCallough was agreed that the south side of the canyon presented the cheaper route, the council voting in the neighborhood of \$1500 each would be necessary were a straight line followed.

Councilmen Barkdoll and Moon, from the Third ward, in which the road lies, stated that the property owners there were willing to accept a fee and make any necessary changes at their own expense, while those on the other proposed route seemed at best indifferent or hostile.

George Porter, on behalf of a number of citizens who live on the south side, and who were present at last night's meeting, stated that even if the Tombstone Canyon road did not go by them, the city would have to build a road anyway, to give them an outlet for their property. He stated that a large number would be benefited by the road taking the route to the south; that more property would be enhanced in value and the city receive a return in increased taxes.

Resolved, it was a proposition from J. H. Jack, whose lumber yard lies in the path of the Tombstone Canyon road, that he be granted a right of way through his property, and that he be paid for the same. The proposition was rejected, and without comment was turned down by the council and the city attorney instructed to at once bring condemnation proceedings against the owner. There was little said, but there was considerable feeling among the councilmen at what they considered an attempt to hold up the city.

The question of a right of way over the property of S. K. Williams was referred to the street committee. J. J. Bowen was appointed to represent the city in reaching an agreement with Pete Johnson and Anderson & Cull in a wedged shaped piece of property on Main street needed by the city. Ex-Alderman William Morris will represent the owners of the property in an attempt to settle the question by arbitration.

A communication was read pointing out that most of the electrical wiring in the city was defective and that such wiring was a source of constant danger from fire. The council agreed on the necessity of proper inspection and ordered the city attorney to draw up an ordinance providing for an electrical inspector to be paid at the rate of thirty cents for each outlet, with a minimum charge of \$1, same to be paid by the contractor.

The street commissioner was instructed to excavate from twelve to fifteen feet on a lot belonging to J. H. Jack.

WILL CONSIDER  
NEW TARIFF BILL

Schedule of Import Taxes Will  
Be Taken Up in Congress  
Today.

WASHINGTON, March 17.—The full membership of the house committee on ways and means, including Democrat, will meet at 10 o'clock tomorrow morning formally to consider the Payne tariff bill. The senate committee on finance will meet at the same time for the consideration of the measure. It is likely the house committee will have only one sitting on the bill. The measure will be reported to the house immediately after it convenes tomorrow, and its formal reading in committee of the whole will soon begin. The federal debate will be postponed until Monday. If Payne presents the program and it carries, the measure will probably be before the house on Monday for two weeks. Mr. Clark said today that he would make every effort before the committee, as he would on the floor of the house, to have the bill amended, and for that reason he would ask for a longer time. He added, however, that he would not press for more time for reviewing a minority report, as that could be formulated as well after the bill had been reported as before. Payne's inclination is to get the bill through the house at the earliest practicable moment.

## OUTBOXED MURPHY.

NEW YORK, March 17.—Owen Moran, English featherweight, outboxed Tommy Murphy, Harlem lightweight. It was a fast and clean bout and went ten rounds.

C. Kreighbaum, in consideration for concession made to the city for the Tombstone road. The cost to the city will be about \$30.

A long letter from the board of supervisors of the Pacific, recommending plans to be followed in laying out the new road, was read. It was found that the plans already drawn comply with the requirements of the supervisors. The capacity of the three tanks to be erected in addition to what the pumps can do will be \$250,000 gallons. Should this be exhausted by a prolonged demand for a big fire last night or two or three days, the city would have their connection with the Naco Water company to fall back on.

The city engineer was ordered to notify the E. P. & S. W. to enlarge the opening of the survey at the depot.

Councilman Allen suggested that the road to be known as S. K. street be changed so as to take a higher route, passing above the residence of Johnny Trowney in Brewery Gulch.

To do this it would be necessary to purchase for \$2,000 a house owned by Trowney's father-in-law, Trowney agreeing to donate the lot. He stated that the street commissioner had informed him that this would be cheaper than taking the lower route, because of the necessity of building fifty feet of retaining wall fifteen feet high and 100 twenty-five feet high. The street commissioner advised that the place under the old survey was so inaccessible that the material for the wall would have to be packed on burros. Also that it would enable about seventy-five more houses to have access to the road than would the old plan. The matter was referred to the street committee, the city engineer and the street superintendent.

The question of securing a water supply for the fire system was discussed briefly, and the nomination of Henry Hall for policeman was confirmed, after which the council adjourned.

CONTEST FOR  
GOVERNOR IS  
BECOMING BIG

Political Experts Think That  
the Contest Lies Between  
Kibbey and Sturges, With  
Latter in the Lead.

With Sturges, Clark and Stoddard in Washington, the gubernatorial fight is reaching the acute stage. Political experts who keep their ears attuned close to the soil say they can hear noises coming from the direction of the national capital which indicate the occurrence of a violent political fracas.

Those who have watched the contest most keenly are of the opinion that the real fight is between Kibbey and Sturges, with the odds in favor of the latter. The consensus of opinion is Stoddard, Adams and Young are not in the race at all, while many consider the candidacy of Stoddard as a joke and one of the many mistakes that Ralph Cameron has made since the people of the territory made the error of sending him as a delegate to congress.

"I think that Sturges has the lead," said Attorney J. M. O'Connell, "although Kibbey is also strong. In my opinion Stoddard, Adams and Young, have no show at all, especially Stoddard. His candidacy is a joke, although I suppose both he and Ralph Cameron take the matter seriously."

"In Arizona a man with a clean record who is a candidate for a federal office is lucky if he doesn't land in jail instead of the job, and a man with the political reputation of Stoddard must have a great deal of electrolysis to ask for the appointment to the governorship of the territory."

I suppose that Ralph Cameron is working for him, and what he can be thinking of when he does so is more than I can conceive.

"It is said that Clark went to Washington on legal business. That was simply a ploy to win of intimating that he had gone there in the interests of Kibbey and especially to take a walk at Stoddard. It has been said that there has already been a greater scrap over federal appointments in Arizona than there is in the state of New York, and people can be assured that the territory will live up to its reputation in the present imbroglio."

Postmaster Cassidy is acting to take a hand in the present scrimmage, but is stopped from doing so by the rules governing his office.

Clark Sees Taft.

A telegram to the Review from Washington last night stated that Attorney General Clark called upon President Taft during the day and urged the reappointment of Governor Kibbey. He claimed that the governor had the backing of ninety per cent of the Republicans and fifty per cent of the Democrats of the territory.

## AFTER THE RAILROADS

SAN FRANCISCO, March 17.—In testimony before the Commerce Commission Charles A. Proby today began hearing the charges preferred by furniture dealers of San Francisco and Los Angeles against the Southern Pacific and Santa Fe railroad companies. The dealers claim that while they are charged 16,000 pounds minimum for a standard car, it is not possible for them to get more than 12,000 pounds of furniture in a single car, and therefore they are compelled to pay for 4,000 pounds of freight that is not moved, making a difference of \$25 a car on trans-continental shipments.

MANY BILLS  
SIGNED AND  
BECOME LAWS

Gov. Kibbey Has Busy Day—  
House Passes the Anti-  
Cigarette Bill Under Suspension  
of the Rules.

PHOENIX, March 17.—Governor Kibbey today signed and made laws of the following bills: Prohibiting lotteries and lottery devices; providing for assistant deputy recorders in first class counties; attaching a copy of application to all insurance policies; use of typewriter machines in recording documents in county recorders' offices; making open season for quail from October 5th to February 1st; home study of law to count down examination to practice law; giving court commissioner the power of judge of juvenile court during absence of the latter from the district; uniform study in normal schools; giving town of Florence rights of territory in certain streets and crossings of the town; making eight foot work requirement on the location of mining claims; protection of the power of transmission lines; to levy a tax of one per cent on the gross earnings of telephone, telegraph and express companies; sale of liquor on trains; abolishing road overseers and creating the office of county superintendent of roads; payment of wages of deceased persons to heirs without proof of kinship where the amount involved is \$150 or less.

By a vote of 15 to 9 the new segregation bill in the form of an addition to Day's license bill passed the house, but not until the council had adjourned for the day. Councilmen: Dean, Gibbons, Merrill, Moore, Pace, Peterson and Woolf opposed the measure. The council will act the first thing in the morning, and the bill will be rushed to the governor.

When the house met in the morning, the house acted in the morning, and the council will act the first thing in the morning, and the bill will be rushed to the governor.

On hand to personally urge the passage of the Merrill anti-cigarette bill. They presented a petition, and under suspension of the rules the bill was passed by a vote of 14 to 8. This action was not taken, however, until the limit on the manufacture of cigarettes had been stricken from the bill. In the present condition the sale of cigarettes is absolutely prohibited. The governor sent to the assembly a veto of the bill for the segregation of colored children from whites in schools where more than eight attend, if trustees deem advisable. The governor questioned the power of the legislature to legislate on such matters in view of the federal law. By a vote of 18 to 2 in the house, and 8 to 4 in the council, the veto was not sustained.

Both houses have agreed on and passed bills permitting cinematographs in grand jury rooms; providing penalty for abandonment of wife by husband, and the fine, if any, to go to the injured wife; prohibiting saloons within 600 yards of any normal school; Morris anti-mac law; creating bureau of vital statistics; surety bond by banks for public deposits; making branding of cattle by others than owners a felony; making salary of clerks of boards of supervisors of first class counties \$1,500 annually; bill for bridging across Salt river at Tempe; and providing for other counties to hold elections and levy taxes for bridge construction.

For favorable action on the part of the council the Woodin bill exempting railroads from taxation which was completed within a year after the passage of the act was sent to the

STRANGE LIGHTS  
OVER CAMELBACK

People at Phoenix Puzzled By  
Will of the Wisp Seen at  
Night

PHOENIX, March 17.—Much comment and many varied theories were evoked last night by the appearance in the sky to the northwest of Phoenix of a peculiar light about the size of a 50-cent piece held at arms length. The light swayed to and fro and then remained stationary. It was too high in the heavens to be the light from the strands of a cobweb.

The oldest inhabitants were called out to give their theories of the strange light in the sky. The comet theory was cast aside after an examination of Hostetter's almanac. One of the oldest inhabitants gave his opinion that the ball of fire held suspended between heaven and earth was a meteor or an asteroid that had become entangled, as it were, in the earth's atmosphere, very much the same as a fly becomes enmeshed in the strands of a cobweb.

The Star of Bethlehem theory had its supporters, but others argued that Bethlehem was not in that direction, and that the star, when it appeared, would not be seen perching on the top of Camelback.

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BOSTON HAS  
BRIGHTEST LAMP

BOSTON, March 17.—By installing on its building in West street one of the newest and most powerful pressure gas lamps so widely used on the main thoroughfares in Berlin, the best lighted city of the world, and other continental cities, the gas company has given the public of Boston a convincing idea why the standard of street illumination in Europe is so much higher than in the United States. This lamp gives 4,500 candle power, or as much light as ten or more ordinary electric arcs, on a gas pressure of two pounds, and throws a brilliant light the whole length of West street. It contains great possibilities for the lighting of squares, parks and playgrounds or for advertising and decorative purposes.

The inverted gas lamps which the gas company has been operating on Commonwealth avenue for several weeks have proved very satisfactory. This is the Gradenitz lamp, of German manufacture, by the adoption of which it is believed the city can save about \$250,000 yearly over the electric arc now in use.

house. The vote on the bill in the council was 7 to 5, O'Neil opposing. Finley asked the Maricopa county member for his objection to the bill, and discrimination against electric power was his answer. "Is it not a fact that you are interested in a proposed electric line to Buckeye from Phoenix, which will likely be the route of a railroad if this bill is passed?" asked Mr. Finley. Mr. O'Neil denied the interest was personal in opposing the bill, but he volunteered no reason for his opposition other than what he had stated. Both sessions will begin their last day's session at 2 o'clock tomorrow morning.

House bill 161 by Butler, providing for segregation of negro and white children in schools where more than eight attend optional wise trustees. House vote 18 to 3. Council vote 3 to 4.

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TARIFF BILL  
IS PRESENTED  
TO CONGRESS

Imposes an Average Maximum  
Duty 20 Per Cent In Excess  
of Present Schedules

REVENUES WILL BE  
LARGELY INCREASED

Bill Is Made On Maximum and  
Minimum Basis, Higher  
Rates to Go Into Effect  
In 60 Days.

WASHINGTON, March 17.—Downward revision, maximum and minimum provisions which impose an average maximum duty of 20 per cent in excess of the present tariff and numerous provisions by which it is estimated that the revenue of the government will be increased from 40 to 50 million dollars are the salient features of the new tariff bill which was introduced in the house today by Representative Sereno E. Payne, the chairman of the ways and means committee. The recommendations made by President Taft that an inheritance tax be made for coffee, wool, fur, furs and gloves and lithograph prints were followed, as was expected.

The new tariff bill is made on a maximum and minimum basis, with a provision that maximum rates are not to go into effect until sixty days after the passage of the bill. The reciprocity provisions are contained in the paragraphs assessing duties on bituminous coal and coke and agricultural implements by which these articles are given duty-free duty when imported from countries which permit the free importation of these articles from America. The inheritance tax provision of the bill is similar to the New York state law. It provides a tax of 1 per cent on all inheritances over \$500 that are collateral inheritances, in which strangers are the legatees. In cases of direct inheritance the taxes prescribed are: "On \$10,000 to \$100,000, 1 per cent; on \$100,000 to \$500,000, 2 per cent; on those over \$500,000, 3 per cent. It is estimated that \$2,000,000 annually will be derived from this tax. The maximum and minimum provisions of the bill do away with the necessity of continuing the foreign trade agreements. The abrogation of these agreements is provided for in a section which authorizes the president to issue notices of termination of these agreements within ten days after the bill goes into effect. The French agreement would therefore terminate immediately, while the German agreement would remain in force for six months.

A provision of the bill is designed to meet the conditions resulting from the patent laws of Great Britain which require patentees to manufacture their articles within Great Britain. The provision provides a limited amount of tobacco and cigars be admitted free from the Philippines is included in the bill. The measure also provides for issuance of Panama canal bonds of \$40,000,000 to reimburse the treasury for the original purchase of the canal, and to enable the government to issue treasury certificates, the amount being increased from \$100,000,000 to \$250,000,000.

While there is no duty imposed on coffee, tea is added 5 cents when imported from the country where it is produced and 3 cents when from other than the producing country. The internal revenue tax on cigarettes is materially increased, while the tax on beer and whisky is undisturbed. A cut of 10 per cent is made in the steel and lumber schedules. Iron ore, hides, tallow, cotton seed oil and works of art more than twenty years old are placed on the

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